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JMS/jat
September 19, 2003

PATENT APPLICATION
DOCKET NO.: 0243.1009-020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francesco Pompei

Continuation Application of

Application No.: 10/390,532

Filed: March 14, 2003

For: RADIATION DETECTOR PROBE

Date: <u>9/19/03</u> EXPRESS MAIL LABEL NO. <u>EV215729388VS</u>

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)
 Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☒ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☒ Copies of the cited references are enclosed except those entered in prior applications, U.S. Application Nos. 07/338,968, 07/646,855, 07/760,006, and 09/293,477, to which priority under 35 U.S.C. 120 is claimed. [The earlier applications contain copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.


It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
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Concord, MA 01742-9133

Dated: 9/19/13

PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION September 19, 2003 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 0243.1009-020		CONT. OF APPLICATION NO. 10/390,532	
	APPLICANT Francesco Pompei			
	FILING DATE		CONFIRMATION NO.	GROUP

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME
	AA	2,658,390	11-10-53	Machler
	AB	3,282,106	11-01-66	Barnes
	AC	3,491,596	01-27-70	Dean
	AD	3,581,570	06-01-71	Wortz
	AE	3,878,836	04-22-75	Twentier
	AF	3,949,740	04-06-76	Twentier
	AG	4,005,605	02-01-77	Michael
	AH	4,062,239	12-13-77	Fowler et al.
	AI	4,317,998	03-02-82	Dore
	AJ	4,456,390	06-26-84	Junkert et al.
	AK	4,566,808	01-28-86	Pompei et al.
	AA2	4,602,642	07-29-86	O'Hara et al.
	AB2	4,614,442	09-30-86	Poncy
	AC2	4,626,686	12-02-86	Pompei et al.
	AD2	4,634,294	01-06-87	Christol et al.
	AE2	4,636,091	01-13-87	Pompei et al.
	AF2	4,662,360	05-05-87	O'Hara et al.
	AG2	4,684,018	08-04-87	Jarund
	AH2	4,722,612	02-02-88	Junkert et al.
	AI2	4,784,149	11-15-88	Berman et al.
	AJ2	4,790,324	12-13-88	O'Hara et al.
	AK2	4,797,840	01-10-89	Fraden
	AA3	4,831,258	05-16-89	Paulk et al.
	AB3	4,895,164	01-23-90	Wood
	AC3	4,907,895	03-13-90	Everest
	AD3	4,932,789	06-12-90	Egawa et al.

EXAMINER	DATE CONSIDERED
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FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO	
	AL	EP 0092535	10-25-83	Sweden		
	AM	DE 1914468	11-12-70	Germany		
	AN	EP 0201790	11-21-86	U.S.		
	AO	GB 1425765	03-31-73	Great Britain		
	AP	WO 81/00764	03-19-81	PCT		
	AQ	1 226 540	03-31-71	Great Britain	X	
	AL2					
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	AP2					
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	APPLICANT Francesco Pompei			
	FILING DATE		CONFIRMATION NO.	GROUP

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
AR	Houdas, Y. <i>et al.</i> , "Human Body Temperature," Plenum Press, N.Y. 83, 1982.	
AS	Det Tronics advertisement, "InTech," October 1987, p. 48.	
AT	Dexter Research Center product description for the Model 1M Thermopile Detector, October 1980.	
AU	Fraden, Jacob, Ph.D., "Application of Piezo/Pryoelectric Films In Medical Transducers," Journal of Clinical Engineering, March/April 1988, pp. 133-138.	
AV	Ryan, Marybeth, "The Equine Infrared Thermographic Scanner: Assuring Performance of the Equine Athlete," pamphlet, Exergen Corporation, 1989, 4 pages.	
AW	Omega Medical User Manual, "Surface Temperature Scanner, Models STS-100-F/C, STS-101-C, 1987, 9 pages.	
AX	Proceedings of the Eighth Annual Conference of the IEEE/Engineering in Medicine and Biology Society, Nov. 7-10, 1986, Vol. 3 of 3, pp. 1606-1608.	
AY	Looney, Joseph M. Jr. and Francesco Pompei, <i>Ear Thermometry</i> , Reprinted from <i>Medical Electronics</i> , June 1989.	
AZ	Omega Medical User Manual, <i>Surface Temperature Scanner STS-100-F/C & 101-C</i> , 1 pg., Circa 1987.	
AR2	Sketch of Radiation Detector manufactured by IR-ONICS Corporation and distributed by Dermatherm Corporation, pre 1983.	
AS2		
AT2		
AU2		
AV2		
AW2		

EXAMINER	DATE CONSIDERED
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